

Entered - 02/14/00 - sb  
CL00L0145 - DIANNE C. MITCHELL

00-R -1745

CLAIM OF: THELSIA BARKSDALE,  
2815 Kathryn Circle  
Atlanta, Georgia 30331

For damages alleged to have been sustained as a result of vehicular damage  
due to road construction on February 2, 2000 on Barge Road.

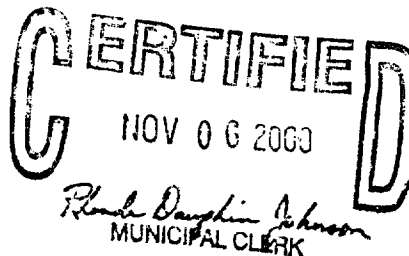
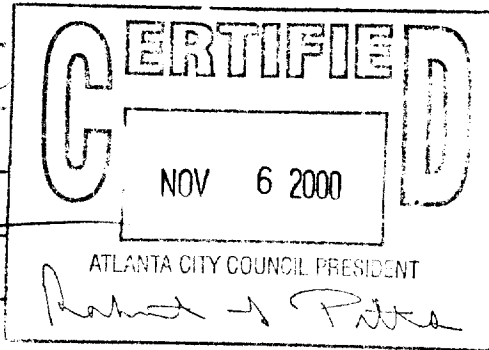
THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSE REPORT

ADVERSED BY  
CITY COUNCIL NOV 06 2000



COM. Public Safety  
DATE 10/31/00  
V- Cleta Winslow  
Darryl Smith  
Michael B.  
James  
Therese



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

November 14, 2000

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Thelsia Barksdale  
2815 Kathryn Circle  
Atlanta, GA 30331

00-R-1745

Dear Ms. Barksdale:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on November 6, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0145

Date: October 17, 2000

Claimant /Victim THELESIA BARKSDALE

BY: (Atty) (Ins. Co.) \_\_\_\_\_

Address: 2815 Kathryn Circle

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 240.95 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 02/28/00 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 02/02/00 Place: Barge Road

Department \_\_\_\_\_ Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges she damage her vehicle due to road construction. The investigation determined that United Water Services Atlanta was responsible for the road cut. United Water Services Atlanta has forwarded this claim for payment by its subcontractor, Thrasher.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 10-17-00

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date:

Jordan  
03/02/00  
Du

FEB 28

ENTERED - 3-6-00 - SB  
00L0145 - DOBBS JORDAN

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 240.95 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 2/2/00  
(month/day/year)

2. Police called: X  
Yes No

3. Location of incident: Barge Road

4. Name of your insurance company: Allstate

Policy No. 615763412

5. State what and how incident occurred: We were driving down the street and due to the darkness and no cone we fell into a manhole + my tire busted

6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: 2000 Ford Focus Thelasia Baraka  
(make) Year (year make (tag number) (driver's name)

City vehicle: \_\_\_\_\_  
(make) (City driver's name) (department/bureau)

8. Witness: John Stephens Barge Road (404) 346-0504  
(name) (address) (telephone number)

9. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employees(s).

10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Thelasia Baraka  
(claimant's name)

2815 Kathryn Circle  
(address)

Atlanta, Ga. 30331  
(city and state)

(4) 669-8030 (4) 349-2010  
(work number) (home number)

00-R-1745

RCS# 2356  
11/06/00  
2:45 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty  
B Starnes  
Y Bond  
Y Winslow

Y Dorsey  
Y Woolard  
Y Morris  
Y Muller

Y Moore  
Y Martin  
Y Maddox  
Y Boazman

Y Thomas  
Y Emmons  
Y Alexander  
NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-R-1422  
00-R-1666

CONSENT

		11/06/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSE ON CONSENT AGENDA	ITEMS ADVERSE ON CONSENT AGENDA
1. 00-O-1577 2. 00-O-1586 3. 00-O-1615 4. 00-O-1661 5. 00-O-1663 6. 00-O-1670 7. 00-R-1578 8. 00-R-1685 9. 00-R-1780 10. 00-R-1659 11. 00-R-1688 12. 00-R-1689 13. 00-R-1704 14. 00-R-1722 15. 00-R-1723 16. 00-R-1708 17. 00-R-1774 18. 00-R-1709 19. 00-R-1710 20. 00-R-1711 21. 00-R-1712 22. 00-R-1713 23. 00-R-1714 24. 00-R-1715 25. 00-R-1717 26. 00-R-1718 27. 00-R-1719 28. 00-R-1720 29. 00-R-1721	30. 00-R-1716 31. 00-R-1724 32. 00-R-1725 33. 00-R-1727 34. 00-R-1728 35. 00-R-1729 36. 00-R-1730 37. 00-R-1731 38. 00-R-1732 39. 00-R-1733 40. 00-R-1734 41. 00-R-1735 42. 00-R-1736 43. 00-R-1737 44. 00-R-1738 45. 00-R-1739 46. 00-R-1740 47. 00-R-1741 48. 00-R-1742 49. 00-R-1743 50. 00-R-1744 51. 00-R-1745 52. 00-R-1746 53. 00-R-1747 54. 00-R-1748 55. 00-R-1749 56. 00-R-1750 57. 00-R-1751 58. 00-R-1752	59. 00-R-1753 60. 00-R-1754 61. 00-R-1755 62. 00-R-1756 63. 00-R-1757 64. 00-R-1758 65. 00-R-1759 66. 00-R-1760 67. 00-R-1761 68. 00-R-1762 69. 00-R-1763 70. 00-R-1764 71. 00-R-1765 72. 00-R-1766 73. 00-R-1767 74. 00-R-1768 75. 00-R-1769 76. 00-R-1770 77. 00-R-1771 78. 00-R-1772 79. 00-R-1773